

Message Text

SECRET

PAGE 01 STATE 003377
ORIGIN SS-25

INFO OCT-01 ISO-00 SSO-00 /026 R

DRAFTED BY EA/K:EHURWITZ:CHG
APPROVED BY P - MR HABIB
S/S:STEINER
DESIRED DISTRIBUTION
S, D, P, EA, L ONLY

-----070219Z 098445 /63

O 070140Z JAN 77
FM SECSTATE WASHDC
TO AMEMBASSY SEOUL IMMEDIATE

S E C R E T STATE 003377

STADIS/////////
EXDIS

E.O. 11652: GDS

TAGS: PFOR,KS, US

SUBJECT: INVESTIGATIONS OF IMPROPER PAYMENTS

1. AMBASSADOR HAHM MET WITH UNDER SECRETARY HABIB EVENING
OF JANUARY 6 TO DISCUSS BANK RECORDS OF FIVE EMBASSY
OFFICERS WHICH JUSTICE HAD ASKED TO SEE.

2. HAHM SAID THAT HIS EMBASSY HAD EXAMINED RECORDS OF
EDUCATIONAL ATTACHE AND HE OFFICIALLY COULD ASSURE USG
THAT THESE RECORDS GAVE ABSOLUTELY NO INDICATION OF IL-
LEGAL OR IMPROPER PAYMENTS. THE RECORDS OF THE OTHER FOUR
OFFICIALS, ALL OF WHOM HAD ALREADY RETURNED TO SEOUL,
WERE EXAMINED BY THE ROKG AND, AGAIN, HAHM COULD GIVE HIS
OFFICIAL ASSURANCES THAT THESE ALSO CONTAINED NO INDICATION
WHATSOEVER OF ILLEGAL OR IMPROPER PAYMENTS. ON THE BASIS
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OF THESE ASSURANCES, HAHM SAID, HE HOPED THAT JUSTICE
WOULD NOT ISSUE SUBPOENA TO OBTAIN THESE RECORDS.

3. HABIB SAID HE WOULD CONVEY HAHM'S ASSURANCES TO JUSTICE.
HE EMPHASIZED THAT THE DECISION TO ACCEPT THE ASSURANCES
AS SUFFICIENT OR TO ISSUE THE SUBPOENA WOULD, OF COURSE,
BE UP TO JUSTICE.

4. HAHM NOTED THAT IF A SUBPOENA WAS ISSUED, THE RIGGS BANK WOULD GO TO COURT TO FIGHT IT. HE SAID THAT OTHER BANKS IN WASHINGTON AS WELL AS BANKS IN NEW YORK WERE ENCOURAGING RIGGS TO CONTEST ANY SUBPOENA AND WOULD HELP IT DO SO. HAHM THEN REITERATED THE ROKG POSITION THAT THE BANK RECORDS WERE PROTECTED BY DIPLOMATIC IMMUNITY. HABIB NOTED AGAIN THAT STATE'S POSITION HELD OTHERWISE.

5. HABIB ASKED WHETHER HAHM HAD ANY RESPONSE FROM SEOUL ON OUR EARLIER SUGGESTION THAT THE ROKG MIGHT SPEED UP THE INVESTIGATION AND HELP TO PUT IT BEHIND US BY IDENTIFYING ANY US CITIZENS WHO IT HAD REASON TO BELIEVE HAD ACCEPTED ILLEGAL PAYMENTS. HABIB REITERATED THAT SUCH INFORMATION WOULD BE USED ONLY TO FACILITATE INVESTIGATION OF ILLEGAL ACTIVITIES ON THE PART OF U.S. CITIZENS OR PERMANENT RESIDENTS. HAHM SAID HE HAD NO INSTRUCTIONS ON THIS MATTER BUT WOULD SEEK THEM ONCE HE HAD JUSTICE'S RESPONSE ON THE SUBPOENA ISSUE.

KISSINGER

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